

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CFSC CONSORTIUM, LLC, by
PRAMCO, LLC; by MIDLWEST HOLDINGS
CORPORATION

Plaintiff

vs

CRUZ IVAN VILLANUEVA -REYES

Defendant

CIVIL 03-1632CCC

ORDER OF EXECUTION OF PERSONAL PROPERTY

This action is before us on plaintiff's Motion for Execution of Personal Property filed on June 28, 2006 (**docket entry 30**). Having considered from the record before this Court that after the sale of the mortgaged property (see Confirmation of Sale, docket entry 29), it appears that the sum of \$101,166.00 in principal, accrued interest in the amount of \$62,785.71 as of June 15, 2006 plus further interest accumulating at a daily rate of \$28.43 plus associated costs and attorney's fees, remained to be paid pursuant to Default Judgment entered on May 18, 2004 (see docket entry 16). It further appearing that more than ten (10) days have elapsed since the entry of Judgment:

IT IS HEREBY ORDERED that cash, checks, monies in banks or other institutions, accounts receivable, promissory notes, stock, bonds, equipment, securities, and any other property of Cruz Iván Villanueva-Reyes, Carlos J. Villanueva-Reyes and Marta Serrano-Batista, and the conjugal partnership composed by them, subject to execution, up to a value of \$101,166.00 in principal, accrued interest in the amount of \$62,785.71 as of June 15, 2006 plus further interest which continues to accrue at a daily rate of \$28.43, until full payment is satisfied, plus costs and stipulated attorney's fees, be attached, garnished, or seized to satisfy the amount owed pursuant to the Judgment entered by this Court in this action and the costs and attorney's fees incurred in the execution of the Writ of Execution of Personal Property, it is further

ORDERED that the properties to be executed in compliance with this Order consist of those designated by the plaintiff in the manner provided for by the laws of Puerto Rico; it is further ORDERED that the Clerk of Court issue a Writ of Execution of Personal Property, without bond, since the relief requested is subsequent to the entry of the above-mentioned Judgment directed to Angel Siro Betancourt, a private party designated to execute the Writ of Execution of Personal Property in lieu of the United States Marshal, directing him to attach, garnish or seize any or all merchandise, funds, or other property of, or in the possession of Cruz Iván Villanueva-Reyes, Carlos J. Villanueva-Reyes and Marta Serrano-Batista, and the conjugal partnership composed by them, up to the value of \$101,166.00 in principal, accrued interest in the amount of \$62,785.71 as of June 15, 2006, plus further interests which continue to accrue until full payment at a daily rate of \$28.43, plus costs and stipulated attorney's fees, in addition to the costs and attorney's fees incurred in the execution, as may be designated by plaintiff, including property in the possession of other persons. All such properties shall be seized and deposited in the office of the Clerk of Court should they be monies or if they consist of other personal property by placing the same under the custody of the custodian named in this Order; and in the event of garnishment, by giving notice of this Order to Cruz Iván Villanueva-Reyes, Carlos J. Villanueva-Reyes and Marta Serrano-Batista, and the conjugal partnership composed by them and requiring the surrender of the property or payment of the money to Angel Siro Betancourt, the private party designated in lieu of the U.S. Marshal, at the time the obligation of Pramco, LLC, on behalf of CFSC Consortium, LLC becomes due and payable. Angel Siro Betancourt, the private party designated in lieu of the U.S. Marshal, is hereby authorized to break and open locks as may be necessary to execute this order; and it is further ORDERED that Angel Siro Betancourt, the private party designated in lieu of the U.S. Marshal, thereafter file a return of execution describing the property garnished or seized

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pursuant to this Order. It is further ORDERED that the custodian hereby appointed on request of the plaintiff shall also be: Angel Siro Betancourt, 1606 Ponce de León Ave., Suite 1003, San Juan, Puerto Rico, 00918.

SO ORDERED.

At San Juan, Puerto Rico, on July 18, 2006.

S/CARMEN CONSUELO CEREZO
United States District Judge